UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

Otis Daniels

v.

Case No. 08-cv-299-SM

NH State Prison, Warden

ORDER

I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated January 8, 2009, no objection having been filed, for the reasons set forth therein. Plaintiff's petition is hereby dismissed.

SO ORDERED.

January 29, 2009

Steven J. McAuliffe

num/nAdfle

Chief Judge

cc: Otis Daniels, pro se